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6 UNITED STATES DISTRICT COURT
7 EASTERN DISTRICT OF WASHINGTON

8 OPAL HARGER, *et al.*
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10 Plaintiffs,

11 v.
12 U.S. DEPARTMENT OF LABOR,
13 and THE NATIONAL INSTITUTE
14 OF OCCUPATIONAL SAFETY
15 AND HEALTH,
16 Defendants.

17 NO. CV-06-5071-RHW

18 **ORDER GRANTING MOTION
19 TO DISMISS PLAINTIFF KING**

20 Before the Court is Defendants' Motion to Dismiss Claim of Kim King with
21 Prejudice (Ct. Rec. 221). This motion was heard without oral argument.
22 Defendants argue that they have awarded Plaintiff King full benefits in her
23 reopened administrative claim, and that her claims before this court should
24 therefore be dismissed. Plaintiff King agrees (Ct. Rec. 225).

25 Accordingly, **IT IS HEREBY ORDERED:**

26 1. Defendants' Motion to Dismiss Claim of Kim King with Prejudice (Ct.
27 Rec. 221) is **GRANTED**.

28 2. The claims of Plaintiff King is **DISMISSED with prejudice**. Plaintiff
King is now dismissed from this matter.

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32 **ORDER GRANTING MOTION TO DISMISS PLAINTIFF KING * 1**

1 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
2 Order and to provide copies to counsel.

DATED this 9th day of April, 2009.

S/ Robert H. Whaley

ROBERT H. WHALEY
Chief United States District Judge

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ORDER GRANTING MOTION TO DISMISS PLAINTIFF KING 2